IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 27448 of 2007(S)

OP.555/2007 of FAMILY COURT, MALAPPURAM
.....

PETITIONER:

NAFEESA, W/O LATE KURUNIAN BAVA,
KIZHAKKINIYAKATH, MATTATHUR AMSOM,
OTHUKUNGAL, THIRURANGADI TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:

P.V.RESLY, D/O HAMZA PARAPURATHU,
PARAPPURATHU HOUSE, CHERIYAMUNDOM,
THALAKKATHUR, TIRUR TALUK,
MALAPPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C)No.27448 of 2007

Dated 14th September, 2007.

J U D G M E N T

Kurian Joseph, J.

Petitioner is the second respondent in O.P.555/07 on the file of the Family Court, Malappuram. The Original Petition is filed by the respondent herein seeking return of money and gold ornaments allegedly entrusted to the petitioner and her son who is the first respondent in the Original Petition. According to the petitioner, she is unnecessarily implicated and dragged to the proceedings only with a motive to harass her. It is also submitted that she is an aged and sick person and hence she may not be compelled to appear before the Family Court. On going through Ext.P1, it is fairly clear that there are allegations against the petitioner as well. Therefore, it is for her to contest the matter on merits before the Family Court. If she has any personal difficulty in appearing before the Family Court, it is for her to approach the Family Court for appropriate orders. Without prejudice to such liberty, this writ petition is dismissed.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. NO. OF 200

J U D G M E N T

Dated 14th September, 2007.